

March 15, 1982

NUMBER 5230.21



Department of Defense Instruction USD(P)

SUBJECT: Protection of Classified National Security Council and Intelligence Information

- References:
- (a) National Security Decision Directive (NSDD) Number 19, "Protection of Classified National Security Council and Intelligence Information," January 12, 1982
 - (b) Memorandum from Assistant to the President for National Security Affairs, "Implementation of NSDD-19 on Protection of Classified National Security Council and Intelligence Information," February 2, 1982
 - (c) Executive Order 12065, "National Security Information," June 28, 1978
 - (d) NSDD Number 2, "National Security Council Structure," January 12, 1982
 - (e) through (g), see enclosure 1

A. PURPOSE

This Instruction implements references (a) and (b) to establish policies, procedures, and responsibilities for the protection of classified National Security Council (NSC) and intelligence information.

B. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, and the Defense Agencies (hereafter referred to as "DoD Components").

C. DEFINITIONS

1. Classified Information. Information owned by, produced for or by, or under the control of the U.S. Government that, under reference (c) or prior orders, requires protection against unauthorized disclosure.

2. Classified NSC Information (hereafter called "NSC information"). Classified information contained in all documents prepared by or for the NSC, its interagency groups, as defined in reference (d), and its associated committees and groups. The term also includes deliberations of the NSC, its interagency groups, and its associated committees and groups.

D. POLICY

It is the policy of the Department of Defense that the number of officials with access to documents containing NSC and classified intelligence information shall be kept to a minimum, and that specific protection is required to preclude the unauthorized disclosure of such information. When it is determined

that a DoD employee has violated or permitted the violation of security requirements of DoD 5200.1-R (reference (e)) or this Instruction, causing an unauthorized disclosure of NSC information, such individual shall be subject to administrative sanctions prescribed in reference (e) and, furthermore, may be removed from employment. The Department of Defense shall comply with the procedures discussed in subsection F.2. for the protection of classified intelligence information.

E. RESPONSIBILITIES

1. The Deputy Under Secretary of Defense for Policy (DUSD(P)) shall monitor compliance with this Instruction. In discharging this responsibility, the DUSD(P) may require the investigation of unauthorized disclosures of NSC or intelligence information, in accordance with DoD Directive 5210.50 (reference (f)).

2. The Heads of DoD Components shall comply with this Instruction. In discharging this responsibility, they shall:

a. Initiate formal investigations of unauthorized disclosures of NSC or intelligence information and shall be notified of the results so that administrative sanctions may be imposed, if appropriate.

b. Advise the DUSD(P) of investigative results and of any administrative sanctions imposed.

F. PROCEDURES

1. DoD Components that create or possess NSC information shall develop procedures to ensure that the number of individuals with access to such information is held to the absolute minimum consistent with operational requirements and needs. These procedures shall provide for strict control of dissemination and reproduction of documents containing NSC information and shall require that a demonstrable need for access to such information be shown before access is granted.

2. Special procedures shall be established pursuant to "Implementation of NSDD-19" (reference (b)) by the Director of Central Intelligence for the protection of classified intelligence information within his control. These procedures shall be adhered to strictly by DoD Components having possession or knowledge of this information.

3. Investigations involving unauthorized disclosure of NSC or classified intelligence information shall be conducted in accordance with reference (f). Use of the polygraph in connection with such investigations shall be in accordance with DoD Directive 5210.48 (reference (g)).

G. INFORMATION REQUIREMENTS

To provide a record of those personnel who have access to NSC information, a numbered cover sheet, DD Form 2275, "National Security Council Information" (enclosure 2), shall be attached to each copy of a document containing NSC information at the time it is submitted to an Assistant Secretary of Defense or equivalent-level official.

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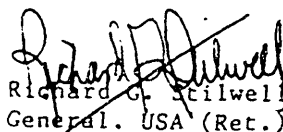
1. As a condition of access to documents containing NSC information, each individual determined to have a "need-to-know" shall sign DD Form 2275.

2. The "No. ____" space on DD Form 2275 shall reflect the assigned document number. The "Copy ____" space shall indicate the copy number of the document. If not already present, these numbers shall be assigned at the time of submission to an Assistant Secretary of Defense or equivalent-level official.

3. Executed copies of DD Form 2275 shall be maintained for at least 2 years after the date of the last recorded access.

H. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward two copies of implementing documents to the Under Secretary of Defense for Policy within 120 days.



Richard G. Stilwell
General, USA (Ret.)

Acting Under Secretary of Defense
for Policy

Enclosures - 2

1. References
2. DD Form 2275

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REFERENCES, continued

- (e) DoD 5200.1-R, "Information Security Program Regulation," October 1980, authorized by DoD Directive 5200.1, "DoD Information Security Program," November 29, 1978
- (f) DoD Directive 5210.50, "Investigation of and Disciplinary Action Connected with Unauthorized Disclosure of Classified Defense Information," April 29, 1966
- (g) DoD Directive 5210.48, "The Conduct of Polygraph Examinations and the Selection, Training and Supervision of DoD Polygraph Examiners," October 6, 1975

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No. _____

COPY _____

NATIONAL SECURITY COUNCIL INFORMATION

Notice

The attached document contains classified National Security Council information. It is to be read and discussed only by persons authorized by law.

Your signature acknowledges you are such a person and you promise you will show or discuss information contained in the document only with persons who are authorized by law to have access to this document.

Persons handling this document acknowledge he or she knows and understands the security law relating thereto and will cooperate fully with any lawful investigation by the United States Government into any unauthorized disclosure of classified information contained herein.

Access List

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